

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

OFFICE OF SPECIAL MASTERS

Theresa Lynch,

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Petitioner,

*

No. 11-421V

*

Special Master Christian J. Moran

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v.

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Filed: December 13, 2012

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SECRETARY OF HEALTH
AND HUMAN SERVICES,

*

Attorneys' fees and costs; award in
the amount to which respondent has
not objected.

*

Respondent.

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UNPUBLISHED DECISION ON FEES AND COSTS¹

Stephen Charles Swain, Shuttleworth, Ruloff, et al., Virginia Beach, VA, for Petitioner;
Glenn Alexander MacLeod, U.S. Department of Justice, Washington, D.C., for Respondent.

Petitioner Theresa Lynch filed an application for attorneys' fees and costs on December 13, 2012. The Court awards the amount to which respondent does not object.

Ms. Lynch claimed that the trivalent influenza flu vaccine she received caused an adverse reaction and received compensation based upon the parties' stipulation. Decision, filed July 24, 2012. Because Ms. Lynch received compensation, she is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

Ms. Lynch seeks a total of **\$11,000.00** in attorneys' fees and costs for petitioner's counsel. Additionally, Ms. Lynch filed a statement of costs in compliance with General Order No. 9, stating that she incurred no litigation expenses while pursuing this claim. Petitioner states that the firm of Shuttleworth, Ruloff, et al. paid all costs and expenses associated with the prosecution of the claim. Respondent stated that she had no objection to this application for attorneys' fees and costs.

¹ The E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

After reviewing the request, the court awards a check made payable to petitioner and petitioner's attorney in the amount of **\$11,000.00** for attorneys' fees and other litigation costs. The court thanks the parties for their cooperative efforts in resolving this matter.

The Clerk shall enter judgment accordingly.²

IT IS SO ORDERED.

S/ Christian J. Moran
Christian J. Moran
Special Master

² Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.